

FORM PTO-1390  
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 22,852

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

08959.0009

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)**10/506624**

INTERNATIONAL APPLICATION NO.

PCT/JP2003/009732

INTERNATIONAL FILING DATE

July 31, 2003

PRIORITY DATE CLAIMED

August 1, 2002

TITLE OF INVENTION

NOVEL POTASSIUM-DEPENDENT SODIUM-CALCIUM EXCHANGER

APPLICANT(S) FOR DO/EO/US


Katsura NOZAWA and Shinobu MOCHIZUKI

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau.
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
  - a. ☒ Copy of cover page of International Publication No. WO 2004/013173 A1
  - b. ☒ Statement Under 37 C.F.R. 1.821
  - c. ☒ Sequence Listing in written form consisting of 17 sheets

U.S. APPLICATION NO. (If known, see 37CFR 1.5) <div style="font-size: 1.5em; font-weight: bold;">10/506624</div>		INTERNATIONAL APPLICATION NO. PCT/JP2003/009732		ATTORNEY'S DOCKET NUMBER 08959.0009		
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) ..... <b>\$100.00</b>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>					CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <span style="float: right;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</span>					\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total Claims	18	- 20 =	x \$18.00	\$		
Independent Claims	1	- 3 =	x \$86.00	\$		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$290.00	\$290.00		
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$1210.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$	
<b>SUBTOTAL =</b>				\$1210.00		
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <span style="float: right;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</span>					\$	
<b>TOTAL NATIONAL FEE =</b>				\$1210.00		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. <span style="float: right;">+</span>					\$40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$1250.00		
					Amount to be refunded:	\$
					charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1250.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card          information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.						
<b>SEND ALL CORRESPONDENCE TO:</b> Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315						
DATED: September 3, 2004				 SIGNATURE Ernest F. Chapman Reg. No. 25,961 NAME/REGISTRATION NO.		



DT03 Rec'd PCT/PTO 03 DEC 2004

PCT #  
#6/A

PATENT

Customer No. 22,852

Attorney Docket No. 08959.0009-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Katsura NOZAWA et al.

Application No.: 10/506,624

Filing Date: September 3, 2004

International Filing Date: July 31, 2003

For: NOVEL POTASSIUM-DEPENDENT  
SODIUM-CALCIUM EXCHANGER)  
)  
) Group Art Unit: Not yet assigned  
)  
) Examiner: Not yet assigned  
)  
)  
)  
)

## MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER FOR PRELIMINARY AMENDMENT

Enclosed is a Preliminary Amendment. The items checked below are appropriate:

☒ The claims are calculated below:

	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	Additional Fee
Total	52	-	20	32	x \$ 18	\$ 576.00
Indep.	1	-	3	0	x \$ 88	0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim(s)					+\$290	0.00
Subtotal						\$ 576.00
Reduction by 1/2 if small entity						- 0.00
TOTAL						\$ 576.00

☒ A check for \$576.00 to cover the extra claims fee is enclosed.

12/09/2004 6FREY1 00000071 10506624

01 FC:1615

-576.00 BP

Please grant any extensions of time required to enter this Amendment and  
charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 2, 2004

By: Danielle M. Pasqualone  
Danielle M. Pasqualone  
Reg. No. 43,847  
Customer No. 22,852

Repln. Ref: 02/17/2005 BCAMPBEL 0010093100  
9204  
576.00 CR  
BAC  
2/17/05

Adjustment date: 02/17/2005 BCAMPBEL

12/09/2004 GFREY1 00000071 10506624

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